

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

In re: § Chapter 11
§
BUFFETS, LLC, *et al.*¹ § Case No. 16-50557-RBK
§
Debtors. § (Joint Administration Pending)

NOTICE OF CONSENT TO USE CASH COLLATERAL

Buffet's LLC, *et al* (collectively the "Debtors") debtors and debtors-in-possession in the above-captioned chapter 11 case, hereby files this Notice of Consent to Use Cash Collateral and for such would show as follows:

1. The Debtors' prepetition secured creditors, Alamo CRG, LLC; Larrac Inv., LLC; Dayspring Operating, LLC; All Jones, LLC; BPTX Holdings, LLC; FMP SA Management Group, LLC (collectively "Noteholders") assert an interest in the cash held by each of the Debtors. In addition, Alamo CRG, LLC has offered the Debtors a DIP loan which, if approved by the Court, will be secured by a lien on the Debtors' cash superior to any lien on the Debtors' cash held by the Noteholders.

2. Section 363(a)(2) of the Bankruptcy Code provides in general that debtors may not use cash collateral absent either consent from each entity that has an interest in the cash collateral or the court, after notice and a hearing, authorizes use of the cash collateral in accordance with applicable provisions of Section 363.

3. Attached as **Exhibit 1** is a letter from counsel to the Noteholders consenting to the Debtors' use of their cash on the terms set forth therein.

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Buffets, LLC (2294); Hometown Buffet, Inc. (3002); OCB Restaurant Company, LLC (7607); OCB Purchasing, Co. (7610); Ryan's Restaurant Group, LLC (7895); Fire Mountain Restaurants, LLC (8003); and Tahoe Joe's, Inc. (7129). The address for all of the Debtors is 120 Chula Vista Drive, Hollywood Park, Texas 78232.

4. For the avoidance of doubt, this agreement is not intended to be, and should not be construed to be, an admission by the Debtors of the extent, validity or priority of the Noteholders' liens, if any, on the Debtors' cash or bank accounts, all rights with respect to such being reserved by the Debtors and the Noteholders.

Dated: March 7, 2016

Respectfully submitted,

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